

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AMERICAN BRIDAL & PROM INDUSTRY ASSOCIATION, INC.; MON CHERI BRIDALS, LLC; PROMGIRL, INC.; MAGGIE SOTTERO DESIGNS, LLC; LA FEMME BOUTIQUE, INC.; PROMGIRL, LLC; ALYCE DESIGNS, INC.; ALLURE BRIDALS, INC.; NEXT CENTURY PRODUCTIONS, INC. d/b/a "SYDNEY'S CLOSET"; MORI LEE, LLC; LOVELANE, LLC; BONNY MT ENTERPRISES CO., LTD.; CASABLANCA BRIDALS, INC.; IMPRESSION BRIDAL, INC.; FORMOSA SUNRISE LLC; ESSENCE OF AUSTRALIA, INC.; EDWARD BERGER, INC.; JOVANI FASHIONS LTD., PRECIOUS FORMALS, INC.; COUNTESS CORPORATION; and FAVIANA INTERNATIONAL, INC.,

Plaintiffs,

v.

JOLLYPROM.COM
JOLLYBELLE.COM
HOCOSTORY.COM
PROMCLASSY.COM
PROMEVER.COM
LOLIPROMDRESS.COM
PRETTYGIRLDRESSESS.COM
KENMMADRESS.COM
GLAMCHASE.COM
DRESSYWELL.COM
INWEDDINGDRESS.COM
CA-BRIDALS.COM
IKMDRESSES.COM
QUEENABELLE.COM
SIMIBRIDAL.COM
DRESSESOFGIRL.COM
PROMSTYLISH.COM
VBRIDAL.COM
JENNAPROM.COM
JOHN DOES 1-1,000 and
XYZ COMPANIES 1-1,000,

Defendants.

**CIVIL ACTION NO:
3:17-cv-02454 (AET)(LHG)**

**DECLARATION OF
ARMEN PETROSSIAN**

ARMEN PETROSSIAN, of full age, upon his oath deposes and says:

1. I am a principal of XMLshop LLC d/b/a Counterfeit Technology ("CT"). CT is engaged in the business, among other things, of representing trademark owners and brands in the fashion industry in the investigation and detection of internet-based counterfeiting and image theft. We were engaged by plaintiff, American Bridal & Prom Industry Association ("ABPIA") and its members, including the named plaintiffs in this lawsuit (collectively the "Plaintiffs"), to investigate commercial activity across the internet to determine if the trademarks and product images of the Plaintiffs have been used by the owners and/or operators of internet websites.

2. CT employs a sophisticated technology to quickly scan the internet for trademarks and product images. We do this through a process of several steps. First, our clients provide us with trademarks and digital uploads of the images of their products -- in this case, we receive uploads of thousands of images of wedding dresses, prom dresses and other formalwear sold by the Plaintiffs. We use these uploads to create a database of images to compare against internet content.

3. Next, once suspect websites are identified, we "scrape" every product image from those sites and collect them together into an image database. Our proprietary technology then compares the clients' genuine images against the images collected from the suspect websites to determine if images have been stolen, or if trademarks have been used.

4. It would be practically impossible to manually look at those images quickly and compare them to genuine product images of the Plaintiffs, because: 1) the images we examine number in the hundreds of thousands, and they are often moved or altered by the owners of websites; and 2) the owners/operators of internet websites using stolen images will often "photoshop" the images to remove backgrounds and alter the appearance of the models who wear the dresses. Our technology (known as a "bot") can examine the pixels in an image and definitively match the stolen dress image against the genuine dress image. Each dress image typically consists

of thousands of pixels, which are the smallest controllable elements of a picture, and are often referred to as the "dots" or "squares" of an image. Because our technology examines the pixels of an image, we can identify stolen dress images quickly and easily even when efforts are made to hide the theft through alteration.

5. I am familiar with Defendant Vbridal and many of its websites, including vbridal.net and vbridal.com, which is named in this lawsuit. On July 14, 2017, I conducted an investigation of the image content across all Vbridal websites that is currently live and accessible by ordinary users of the internet. Our technology scanned the tens of thousands of images present on Vbridal websites and compared them to Plaintiffs' proprietary images. The investigation revealed that as of July 14, 2017, Vbridal is using 19,607 images belonging to Plaintiffs on its various websites. Specifically, Vbridal.net is currently using 2,234 of Plaintiffs' images on its webpages, which consumers and visitors can see.

6. I have compiled the results of our investigation into Vbridal in a chart illustrating the number of images found on Vbridal's websites that are identical to Plaintiffs' images. The Summary of Active Infringing Images on Vbridal Websites is attached hereto as Exhibit "A".

I declare under penalty of perjury that the foregoing is true and correct.



ARMEN PETROSSIAN

Dated: 7/14/2017